



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2014-11

LEGISTAR #:

PROPERTY OWNERS: Douglas Clarke Bentley
Frederick Andrew Bentley
P. O. Box 569
Marietta, GA 30061

PROPERTY ADDRESS: 249 Crescent Circle

PARCEL DESCRIPTION: Land Lot 12310, District 16, Parcel 0480

AREA: 1.13 acs.

COUNCIL WARD: 3A

EXISTING ZONING: OI (Office Institutional)

REQUEST: CRC (Community Retail Commercial)

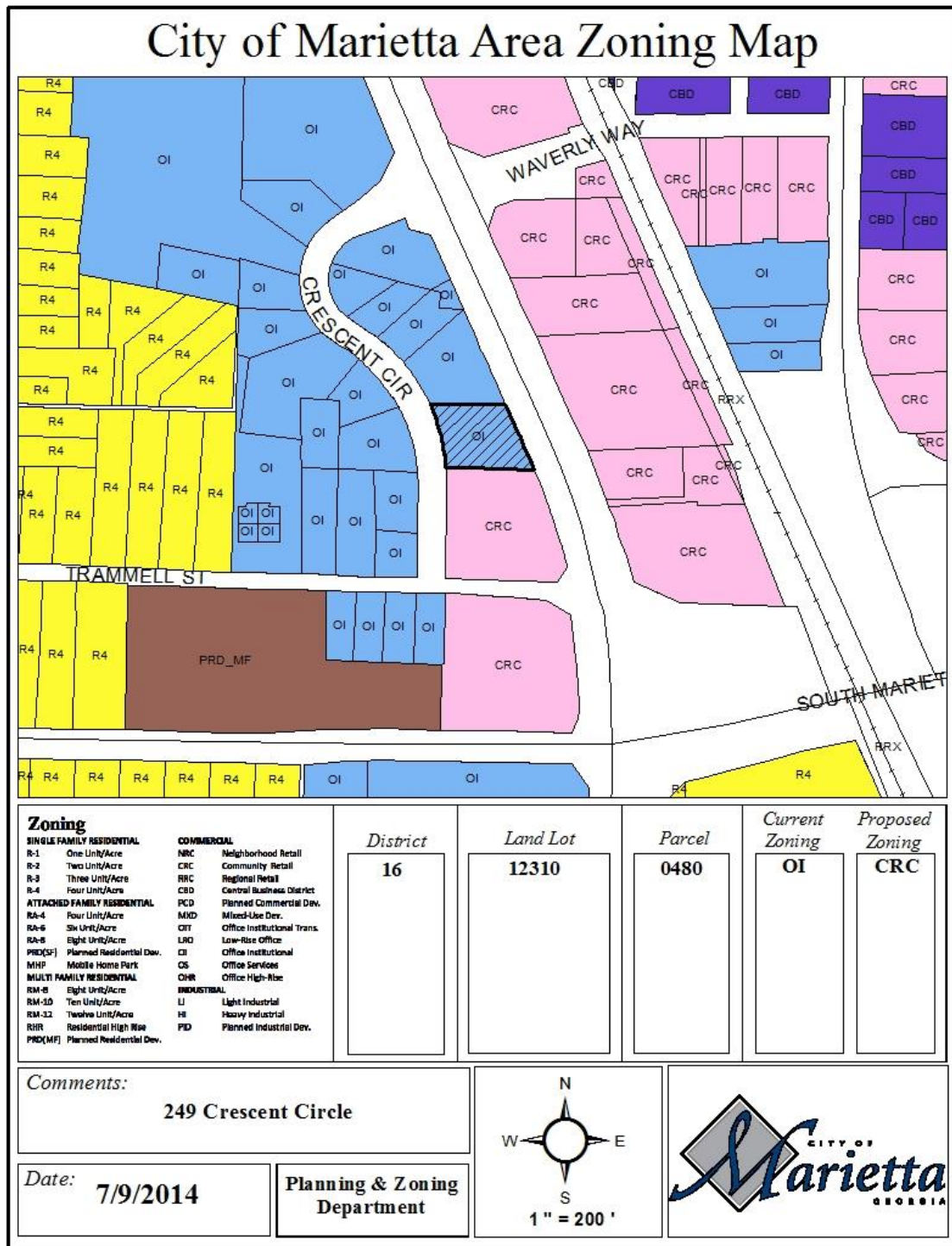
FUTURE LAND USE: CAC (Community Activity Center)

REASON FOR REQUEST: The applicant is requesting the rezoning of the north half of tax parcel 16 12310 0480 from OI to CRC so the parcel is no longer split zoned.

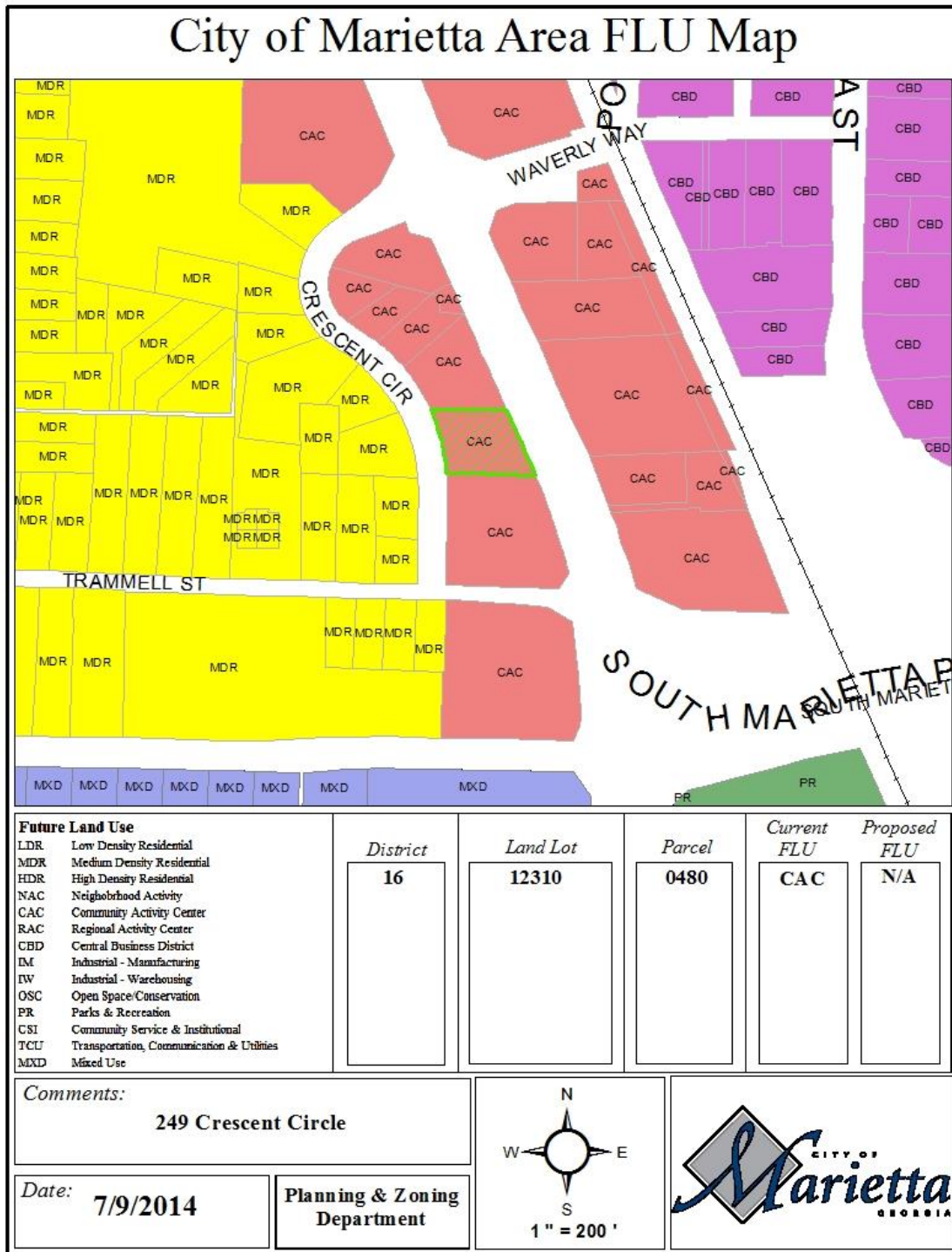
PLANNING COMMISSION HEARING: Tuesday, August 5, 2014 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, August 13, 2014 – 7:00 p.m.

MAP



FLU MAP



PICTURES OF PROPERTY



249 Crescent Cir



249 Crescent Cir



249 Crescent Cir



249 Crescent Cir

STAFF ANALYSIS

Location Compatibility

Drew Bentley of Marietta Drapery, Co., LLP is requesting to rezone 0.346 acres located at 249 Crescent Circle from OI (Office Institutional) to CRC (Community Retail Commercial). The adjacent properties to the north and across Crescent Circle to the west are also zoned OI. Although the property immediately to the south is zoned CRC, it is considered the same tax parcel as the subject property. Thus, the subject property is a split zoned parcel, which does not conform to the Marietta Zoning regulations.

Most of the properties along Crescent Circle were formerly single family homes that are now zoned OI (Office Institutional), and most have transitioned to small business uses. However several of the properties on the west side of Crescent Circle, although zoned OI, continue to be used as residences.

Use Potential and Impacts

The site is located on Crescent Circle, a short local street that intersects with North Marietta Parkway just west of the downtown historic Square. The physical aspects of the properties on Crescent Circle – whether used as residences or as businesses – have not changed much in appearance. The street still appears very residential and quiet. As a result of the preservation of these buildings, this request to rezone this property for commercial use will have little or no impact on adjacent properties.

Although CRC allows for a wider range of permitted uses than OI, prospective tenants will be somewhat bound by the existing structure on the site. If the property is ever redeveloped to the extent specified under Section 706, it will have to be reconstructed according to the guidelines for the Commercial Corridor Design Overlay – Tier B for building, site, and streetscape design. The CRC zoning district however may allow for some uses that could be considered incompatible to the surrounding area, such as automobile, trailer and boat sales. If the rezoning is approved, it may be desirable to exclude some of these uses.

The City's Comprehensive Plan designates the subject and all the adjacent properties to the north and south as having a FLU (Future Land Use) of CAC (Community Activity Center). The purpose of the CAC category is to provide for areas that can meet the retail and service needs of several neighborhoods and communities. Community Activity Center districts are intended to be located along collector and arterial streets, near the intersection of two arterials and near freeway interchanges. The current zoning of the subject property (OI) and the proposed zoning (CRC) are both compatible with the existing CAC designation. Therefore, the proposed rezoning to CRC of this parcel is compatible with the Future Land Use map for this area.

STAFF ANALYSIS CONTINUED

Environmental Impacts

There is no indication of any endangered species, streams, flood plain, wetlands, or significant slopes on the property. The applicant has indicated there will be no change to the site or building as part of this rezoning.

Economic Functionality

Although many of the properties on Crescent Circle have been utilized commercially under the OI zoning classification, the applicant stated that CRC would work better and allow for greater flexibility to obtain a quality tenant. The property has had many tenants/uses with most recent being a painting instruction facility. The City has also recently received a business license application for a retail antique store at this location, which would be allowable under CRC zoning but not OI.

Infrastructure

Because the applicant is not proposing any construction or changes to the site, the proposed rezoning of this property will have minimal impacts on the transportation, education, water, sewer, electricity, and other public infrastructure in the area.

History of Property

There is no history of any variances, special land use permits, or rezonings for 249 Crescent Circle.

ANALYSIS & CONCLUSION

Drew Bentley of Marietta Drapery, Co., LLP is requesting the rezoning of 0.346 acres located at 249 Crescent Circle from OI (Office Institutional) to CRC (Community Retail Commercial). The adjacent property to the north and properties across Crescent Circle to the west are also zoned OI. Although the property immediately to the south is zoned CRC, it is considered the same tax parcel as the subject property. Thus, the subject property is a split zoned parcel.

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The City's Comprehensive Plan has designated the Future Land Use of this parcel to be CAC, Community Activity Center. The purpose of the CAC category is to provide for areas that can meet the retail and service needs of several neighborhoods and communities. Community Activity Center districts are intended to be located along collector and arterial streets, near the intersection of two arterials and near freeway interchanges. The current zoning of the subject property (OI) and the proposed zoning (CRC) are both compatible with the existing CAC designation. Therefore, the proposed rezoning to CRC of this parcel is compatible with the Future Land Use map for this area.

Prepared by: _____

Approved by: _____

DRAINAGE & ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	NO
What percentage of the property is in the flood plain?	---
What is the drainage basin for the property?	Ward Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	NO
If so, is the use compatible with the possible presence of wetlands?	---
Do stream bank buffers exist on the parcel?	NO
Are there other topographical concerns on the parcel?	NO
Are the storm water issues related to the application?	Underground stormwater pipes
Potential presence of endangered species in the area?	NO

TRANSPORTATION -

What is the road effected by the proposed change?	Crescent Circle
What is the classification of the road?	Local
What is the traffic count for the road?	---
Estimated # of cars generated by the proposed development?	---
Estimated # of trips generated by the proposed development?	---
Do sidewalks exist in the area?	NO
Transportation improvements in the area?	NO

If yes, what are they?

- With information and data provided as of June 16, 2014, only #249 Crescent Circle is part of this Worksheet. The boundary survey delineates #22 Trammell St on the plan, however, it is apparently not part of this rezoning.
- If land disturbance is proposed, Site Plans will be required for construction. If required, Site Plans must include, parking, driveways, streets, erosion-sedimentation-and pollution control plan, stormwater management (preventing concentrated flows from adjacent property, roads, and areas), stormwater quality (bioretention or other), and any other applicable improvements required by City Code and Georgia Stormwater Management Manual. Additional comments will be made at time of site plan submittal, if it is required. There can be no point discharge onto adjacent property which is not into a stream, defined drainageway, or storm sewer. Discharge will not be allowable at the property line, or into the street R.O.W. If easements are required for drainage through adjacent property, then the owner is to obtain.
- If applicable, crossover easements are required for the two parcels, or an Exemption Plat will be required.
- *“Per City Code Division 716.08B - Minimum standards for surfaces treated and hardened to accommodate vehicles up to 8,000 pounds are as follows:*

Concrete. 4 inches of 2500 psi concrete with control joints at least every 30 feet, or if no control joints are utilized, then wire reinforcement throughout.

Asphalt. Binder and topping course mixes at least 3” thick.

Brick. Bricks laid in a 2” concrete base.

Please see standard details available from Public Works.

NOTE: Paver Stones over gravel base is acceptable with Director of Public Works approval.

- If additional impervious is proposed, then measures noted above will be required because of known drainage concerns downstream.



MARIETTA POWER – ELECTRICAL

Does Marietta Power serve this site?	Yes <input checked="" type="checkbox"/> X	No <input type="checkbox"/>
If not, can this site be served?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
What special conditions would be involved in serving this site?		
Additional Comments:		

MARIETTA FIRE – EMERGENCY SERVICES

Nearest city or county fire station from the development?	Station 51
Distance to the nearest station?	1 mile
Most likely station for 1 ST response?	Station 51
Service burdens at the nearest city fire station (under, at, or above capacity?	N/A
<p>Other than the questions above, please comment on any issues you might have concerning this request for rezoning or variance.</p> <p><u>Comments:</u></p> <p>*Comply with all state and local codes for occupancy classification including but not limited to sprinkler system, fire alarm system, and protection of hazards.</p>	

MARIETTA BOARD OF LIGHTS & WATER

WATER – N/A – NO ADDITIONS PROPOSED

Is there a water line adjacent to the property?	
If not, how far is the closest water line?	
Size of water line?	
Capacity of water line?	
Approximate water usage by proposed use?	



Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Brian Binzer, Director

WASTEWATER – N/A – NO ADDITIONS PROPOSED

Is a sewer line adjacent to the property?	
If not, how far is the closest sewer line?	
Size of sewer line?	
Capacity of the sewer line	A.D.F. Peak
Estimated waste generated by proposed development?	
Treatment Plant Name?	
Treatment Plant Capacity?	
Future Plant Availability?	